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C O N F I D E N T I A L CANBERRA 000807

SIPDIS

NOFORN

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TAGS: [PREL](#) [PGOV](#) [AS](#) [ARF](#)

SUBJECT: AUSTRALIA ANTICIPATES EAS INVITATION: WILL MAKE  
SURE TAC DOESN'T INTERFERE WITH ANZUS

REF: CANBERRA 677

Classified By: POLCOUNS WOO LEE. REASONS 1.4 (B/D)

[11.](#) (C/NF) Summary: Australia will sign ASEAN's Treaty of Amity and Cooperation (TAC), with conditions, in exchange for an invitation to the first East Asian Summit (EAS) to be held in Kuala Lumpur this December. The conditions include ensuring that the TAC does not hinder Australia's obligations under the ANZUS Treaty, and getting a guarantee from ASEAN that it will be invited to all future EAS meetings. In an added boost to the GOA, Vietnamese Prime Minister Phan Van Khai backed Australia's inclusion in the EAS during his May 5-7 visit to Canberra. End Summary.

Australia Relaxed About the TAC

[12.](#) (C/NF) Department of Foreign Affairs and Trade (DFAT) ASEAN Section Director Lynette Wood told us on May 6 that the GOA was not rushing to sign the TAC. Australia would likely end up signing, but Canberra was taking its time on the off chance that it might be able to get in to the EAS without signing, Wood said. In any event, the GOA was confident Australia would receive an invite to the EAS one way or the other based on the "inclusive approach toward regional architecture" that most ASEAN countries now appeared to be taking.

Stipulations for Signing

[13.](#) (C/NF) If Australia did sign the TAC, Wood continued, it would do so in a way that made certain the TAC did not interfere with the ANZUS Treaty or conflict with Australia's other bilateral defense agreements with the U.S. ASEAN also would need to agree that the Treaty would not constrain Australia's ability to criticize ASEAN countries in cases where it deemed it necessary to do so. Finally, the GOA would need an "iron-clad guarantee on the public record" from ASEAN that by signing the TAC, it would receive an invitation to this year's Summit and all subsequent Summits, Wood said.

Vietnam Gets on Board

[14.](#) (C/NF) In a separate meeting also on May 6, DFAT Thailand, Vietnam, and Laos Section Director Frank Ingruber said Australia welcomed visiting Vietnamese Prime Minister Phan Van Khai's comments the previous day that "Australia should participate in such a summit meeting and should have an important voice in that forum." Asked in a May 5 joint news conference in Canberra if he believed that Australia should have to sign the TAC to gain entry into the EAS, PM Khai said, "I don't think so. These are two separate issues." Ingruber told us, however, that he believed the comment was due to confusion, most likely a translation error, noting that PM Khai added the proviso that "we have to follow the principle of consensus amongst ASEAN."

STANTON